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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,670	10/16/2003	Ricardo N. Schiesser	SIE04-P104A	2669

28101 7590 11/09/2004

VAN DYKE, GARDNER, LINN AND BURKHART, LLP
2851 CHARLEVOIX DRIVE, S.E.
P.O. BOX 888695
GRAND RAPIDS, MI 49588-8695

EXAMINER

VALENZA, JOSEPH E

ART UNIT PAPER NUMBER

3651

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/605,670

Applicant(s)

SCHIESSER ET AL.

Examiner

Joseph Valenza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) 7-17, 30-51 and 55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 18-29, 52-54 and 56-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/16/03, 10/23/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: IDS 10/22/04.

DETAILED ACTION

1. Claims 7-17, 30-51 and 55 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 10/22/04.

2. Claims 1-6, 18-23, 25-29 and 52-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanz.

Conveyors 7, sensor 4, controller 6 and transition belt (feed transport means) (claim 53 only) should be noted.

3. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanz in view of McClurkin.

It would have been obvious that the multi-directional rollers 7 of Tanz could have been replaced with multi-directional belts 40 of McClurkin.

4. Claims 56-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidai et al.

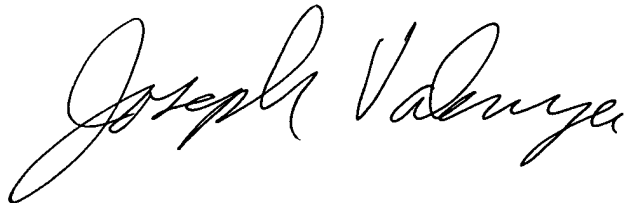
Belts 15, 17 and 45 of figures 1-9 of Hidai et al are the functional equivalents to the claimed conveyors. It would have been obvious that the conveying path portion of the endless belts is supported by idler rollers at the ends of the conveying paths (claims 56+) as evident by the circle representations for rollers. With regard to claim 58, the position of the motors relative to adjacent conveyors is immaterial to their operation or the operation of the claimed system. With regard to claim 60, the two rollers positioned vertically below the conveying run idlers and above the drive roller and engaging the

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conveying surface of the belts are tensioning rollers because they increase the degree of wrap of the belt around the drive roller. The tensioning rollers of Hidai et al are functional equivalents to applicants' spring biased rollers of claim 61. With regard to claim 62, the block or block and cantilever support illustration between the idler rollers are considered to be functional equivalents to the claimed plate support.

5. Cawley et al, Grund '292, Herubel et al, Isaacs et al and Kanamori et al are pertinent.

6. Any inquiry concerning this communication should be directed to Joseph E. Valenza at telephone number (703) 308-2577. Amendments may be faxed to (703) 872-9306. My normal work week is Monday through Thursday.

A handwritten signature in black ink, reading "Joseph E. Valenza". The signature is written in a cursive, flowing style with a large initial "J" and a long, sweeping underline.

JOSEPH E. VALENZA
PRIMARY EXAMINER